

To: Sweeney, Stephen[Sweeney.Stephen@epa.gov]
From: Carlin, Jayne
Sent: Wed 10/15/2014 4:45:00 PM
Subject: RE: Agenda for Oct 15 OR CZARA Managers' Call (2 PM WA/OR or 5 PM DC, Non-Responsive)
Non-Responsive

Hi Steve,

I will make sure to update the action items after the managers' call to reflect this. Thanks for reviewing for accuracy and notifying me of the change.

Jayne

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www.epa.gov/r10earth/tmdl.htm

yosemite.epa.gov/R10/ecocomm.nsf/Watershed+Collaboration/State+Tribal+NPS

From: Sweeney, Stephen
Sent: Tuesday, October 14, 2014 11:43 AM
To: Carlin, Jayne
Subject: RE: Agenda for Oct 15 OR CZARA Managers' Call (2 PM WA/OR or 5 PM DC, 1-
Non-Responsive

Hey Jane,

I actually had quite a few comments on Jeff Dillen's paper. I have since been in contact to confirm with him. He has them and is working on them.

Thanks,

Steve

From: Carlin, Jayne

Sent: Tuesday, October 14, 2014 2:42 PM

To: Waye, Don; Croxton, Dave; Henning, Alan; Wu, Jennifer; allison.castellan@noaa.gov; Solloway, Chris; Flahive, Katie; Rueda, Helen; Parry, Roberta; Melissa Rada - NOAA Affiliate; joelle.gore@noaa.gov; Psyk, Christine; Hall, Lynda; Byrne, Jennifer; jeff.dillen@noaa.gov; Barber, Anthony; Sweeney, Stephen

Subject: Agenda for Oct 15 OR CZARA Managers' Call (2 PM WA/OR or 5 PM DC) Non-Responsive

Non-Responsive

OR CZARA Managers' Meeting

Oct 15 at 2 PM WA/OR or 5 PM VA/MD

Non-Responsive or Christine's Office

Agenda

- Updates; Schedule, Action Items Review (legal/managerial teams)
- Upcoming documents from Tech Team after Response to Comments/Rationale (Communications Plan, Cover Letter, Federal Register Notice, Letter to State on conditional approvals for OSDs/New Development, Letter to State on ag MMs).
- Timing and content of communications with State on upcoming decision (see attached on previous communications plans)
- Follow-up on Lynda's concern regarding the last question and answer on legal team's Qs and As on additional MMs

- Managerial needs for upper management briefings
- Action Items/Next Steps

Action Items

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Managerial Team

- OR CZARA Documents Waiting for Managerial Review (see 10/8/14 email):

1. Forestry/Riparian: Rationale & Response to Comments (Supplemental Information/Briefing/Issue Paper is FYI only) *Comments to Alan and focus on last paragraph in rationale; update from October 9th meeting: Joelle & Christine comfortable with rationale except to add “but not limited to” under the options in the last paragraph and all still need to review responses to comments)*
2. Forestry/Landslides Rationale with Lynda’s comments (Supplemental Information at end of document is FYI only): *Comments to Alan; update from October 9th meeting: Joelle & Christine agree with Lynda’s comments)*

Legal Team

- OR CZARA Documents Waiting for Legal Review (see 10/8/14 email):

1. Forestry/Riparian: Rationale & Response to Comments (Supplemental Information/Briefing/Issue Paper is FYI only) *Comments to Alan; note Steve already provided comments on rationale.*
2. OSDS Rationale: Rationale Only (Supplemental Information/Briefing/Issue Paper is FYI only) *Comments to Don.*
3. Legal Qs and As on Additional Management Measures: *Comments to Jeff; update from October 9th meeting: Steve reviewed and has no comments.*

- Steve will generate language regarding inclusion of IR TMDLs into examples of ways to address forestry/riparian

Tech Team

- All will provide comments on ***OSDS Rationale*** to Don by COB on Oct 17. Don will develop and send responses to comments on OSDS to Allison and Jayne by COB October 20.
- Don will circulate a revised ***New Development rationale*** once he receives key information from Jenny (who is getting that information from ODEQ). Don will develop and send responses to comments on New Development to Jayne and Allison by COB October 20.
 - All will provide comments to Alan on ***Forestry - Riparian Buffers Rationale & Response to Comments*** no later than October 15.
- ***Forestry - Landslides Rationale*** – Alan will revise the rationale based on comments received. Alan will send the rationale and response to the comments to Jayne and Allison by COB October 20.
- ***Forestry-Roads Rationale*** – Alan will revise the rationale based on comments received. Allison will draft responses to comments for Alan’s review by COB on October 15. Alan will send the rationale and response to comments to Jayne and Allison by COB October 20.
- ***Forestry-Pesticides***: Jenny will incorporate comments received on the rationale and responses to comments and then send the rationale and response to the comments to Jayne and Allison by COB October 20.
- ***Either Jayne or Allison will incorporate outstanding pieces and send the decision/finding document and response to comments document*** to the tech, legal and management teams for their review during the week of October 20.
- All will provide comments to Allison on draft final finding document by Oct 15 at 8 am WA/OR or 11 am VA/MD.
- Jayne will review the state submittal to determine if there are comments contained within and whether any of those comments are already addressed or need to be added to the response to comments document by COB on Oct 15.

Decisions

- Make sure NOAA/EPA’s questions asked and comments on agricultural MMs received during the public comment period are included in the Response to Comments document but use a general language* as shown below as the response. Send separate correspondence to Oregon outside of this decision (but as soon as possible after Jan 30) on concerns on ag MM and possible ways to address them.
- Remind reviewers only to carefully edit the rationale and response to comment documents. The supplemental information should only be reviewed for completeness and

accuracy.

- No need to revise schedule. Work on the agricultural MMs will be delayed until all of the other six topics are completed.
- Due to timing constraints, the Tech Team decided not to worry about classification of comments in Response to Comments document (*distinguished by "many/majority" qualifiers or should we just say "Commenters said..."*)
- No need to classify the state submittal as a comment or not. Instead will make sure that all comments contained within the state's submittal provided during the comment period are reflected in the response to comments.
- After the topic expertise groups complete the responses to comments, the response to comments document will be distributed to the Tech, Managerial and Legal teams concurrently.
- To reduce confusion and problems with document version control, Jayne will send separate emails to managerial team and to legal team with exactly what needs to be reviewed.
- Will not provide excel spreadsheet summarizing comments publically but will be available via FOIA. Also will remove the source of comments from the Response to Comments when finalizing document.

**Potential wording in Response to Comments document: "NOAA and EPA invited public comment on the adequacy of Oregon's programs and policies for meeting the 6217(g) agriculture management measures and conditions placed on Oregon's Coastal Nonpoint Program. The federal agencies appreciate the comments received and will consider them closely. However, the December 20, 2013, proposed findings did not propose a specific decision on whether or not Oregon had satisfied the CZARA 6217(g) agriculture management measures. Since the public did not have an opportunity to comment on a specific proposed decision and rationale for that decision, the adequacy of Oregon's agriculture programs is not a basis for the final findings that Oregon has failed to submit an approvable coastal nonpoint program. The public will have an opportunity to comment on NOAA and EPA's proposed decision regarding the agriculture management measures at a later date."*

Upcoming CZARA Managers Meetings

October 21 at noon/3 pm

October 30 at noon/3 pm

Upcoming CZARA Tech Meetings

October 21 at 10 am/1 pm

October 28 at 10 am/1 pm

Regards,

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